

FILED
IN CLERKS OFFICE**AFFIDAVIT ACCOMPANYING MOTION
FOR PERMISSION TO APPEAL IN FORMA PAUPERIS**

2023 MAY 17 PM 12:38

VISHAL SAXENA, Ph.D.,


District Court No. 4:19-CV-40007-TSH

Appeal No. _____

U.S. DISTRICT COURT
DISTRICT OF MASS.

v.

UNIVERSITY OF MASSACHUSETTS
MEDICAL SCHOOL

Affidavit in Support of Motion	Instructions
<p>I swear or affirm under penalty of perjury that, because of my poverty, I cannot prepay the docket fees of my appeal or post a bond for them. I believe I am entitled to redress. I swear or affirm under penalty of perjury under United States laws that my answers on this form are true and correct. (28 U.S.C. § 1746; 18 U.S.C. § 1621.)</p> <p>Signed: </p>	<p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write in that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p> <p>Date: May 17, 2023</p>

My issues on appeal are:

Interlocutory motion to disqualify district judge Timothy Hillman
 Stay the case while this request is pending
 Consider whether a matter is moot if litigant files himself while he has counsel who are not diligently working on the case

- For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly amount during the past 12 months		Amount expected next month	
	You	Spouse	You	Spouse
Employment	\$0	\$N/A	\$0	\$N/A
Self-employment	\$0	\$N/A	\$0	\$N/A
Income from real property (such as rental income)	\$1104	\$N/A	\$483	\$N/A
Interest and dividends	\$0	\$N/A	\$0	\$N/A
Gifts	\$1069	\$N/A	\$0	\$N/A
Alimony	\$0	\$N/A	\$0	\$N/A
Child support	\$0	\$N/A	\$0	\$N/A
Retirement (such as social security, pensions, annuities, insurance)	\$0	\$N/A	\$0	\$N/A
Disability (such as social security, insurance payments)	\$0	\$N/A	\$0	\$N/A
Unemployment payments	\$0	\$N/A	\$0	\$N/A

Public-assistance (such as welfare)	\$0	\$N/A	\$0	\$N/A
Other (specify):	\$0	\$N/A	\$0	\$N/A
Total monthly income:	\$2173	\$0	\$483	\$0

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
None	N/A	N/A	\$0
None	N/A	N/A	\$0
None	N/A	N/A	\$0

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
N/A	N/A	N/A	\$N/A
N/A	N/A	N/A	\$N/A
N/A	N/A	N/A	\$N/A

4. How much cash do you and your spouse have? \$ 4,253.21

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial Institution	Type of Account	Amount you have	Amount your spouse has
Banks	checking/savings	\$ 4,253.21	\$ N/A
Brokerages	cash and stocks	\$ 555.61	\$ N/A
		\$ 4808.82	\$ N/A

If you are a prisoner seeking to appeal a judgment in a civil action or proceeding, you must attach a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months in your institutional accounts. If you have multiple accounts, perhaps because you have been in multiple institutions, attach one certified statement of each account.

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Home	Other real estate	Motor vehicle #1
(Value) \$ 506,900	(Value) \$ 0	(Value) \$ 14730
		Make and year: Toyota, 2015
		Model: Prius
		Registration #: 1965TS

Motor vehicle #2	Other assets	Other assets
(Value) \$ N/A	(Value) \$ 0	(Value) \$ 0
Make and year: N/A		
Model: N/A		
Registration #: N/A		

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
None	\$ 0	\$ N/A
None	\$ 0	\$ N/A
None	\$ 0	\$ N/A
None	\$ 0	\$ N/A

7. State the persons who rely on you or your spouse for support.

Name [or, if under 18, initials only]	Relationship	Age
Prabha Saxena	Mother	76
Bhuvaneshwar Saxena	Father	83

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your Spouse
Rent or home-mortgage payment (include lot rented for mobile home)	\$ 1695.95	\$ N/A
Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No		
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 216	\$ N/A
Home maintenance (repairs and upkeep)	\$ 0	\$ N/A
Food	\$ 150	\$ N/A
Clothing	\$ 0	\$ N/A
Laundry and dry-cleaning	\$ 0	\$ N/A
Medical and dental expenses	\$ 0	\$ N/A
Transportation (not including motor vehicle payments)	\$ 25	\$ N/A
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ N/A
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renters:	\$ 0	\$ N/A
Life:	\$ 0	\$ N/A
Health:	\$ 0	\$ N/A
Motor vehicle:	\$ 31.20	\$ N/A
Other:	\$ 200	\$ N/A
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$ N/A

Installment payments		
Motor vehicle:	\$ 0	\$
Credit card (name):	\$ 70	\$
Department store (name):	\$ 0	\$
Other:	\$ 0	\$
Alimony, maintenance, and support paid to others	\$ 0	\$
Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$
Other (specify):	\$ 0	\$
Total monthly expenses:	\$ 2388.15	\$ 0

9. *Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?*

☐ Yes ☒ No If yes, describe on an attached sheet.

10. *Have you spent — or will you be spending — any money for expenses or attorney fees in connection with this lawsuit?*

☒ Yes ☐ No If yes, how much? \$10,000 in Feb, \$3000 in 2022, \$2000-\$3000 in depositions

11. *Provide any other information that will help explain why you cannot pay the docket fees for your appeal.*

My brother passed away in Dec 2022. My parents were dependent on my brother and live out of state. They rely on me now to take care of any expenses that are not covered by welfare. They also don't have health insurance. I am currently paying for their medications and internet. I have not paid my mortgage for over 2 months (the bank is looking into restructuring my mortgage) and the cash I currently have is being saved for that. I also have \$1500 in unpaid credit card debt. I am also requesting help for utilities which I haven't paid this winter. This lawsuit has also caused me severe stress which has compounded a brain condition that causes me to have severe headaches.

12. *State the city and state of your legal residence:* Marlborough, MA

Your daytime phone number: (617) 7022506

Your age: 51 *Your years of schooling:* 26

Last four digits of your social-security number: 7507